



# BOARD OF LICENSE COMMISSIONERS

City Clerk's Office, 166 Boulder Drive

Fitchburg MA 01420

(978) 829-1820

Vincent Pusateri, II, Chairman

Daniel Sarefield

Linda M. Swears

## MINUTES OF MEETING

The regular meeting of the Board of License Commissioners was held on February 18, 2015 in the Fitchburg Municipal Offices conference room, 166 Boulder Drive, Fitchburg, and called to order by Chairman Vincent Pusateri at 6:01PM. Commissioners Sarefield and Swears were present. FPD Sergeant Matthew Lemay was present.

The agenda consisted of the following:

### **I. REVIEW AND ACCEPTANCE OF MINUTES FROM THE PREVIOUS MEETING.**

*The minutes of the meeting held on January 21, 2015 were reviewed, approved and signed.*

### **II. NEW APPLICATIONS**

Joseph Phelan (FSU), for Special One Day wine and malt beverages license for The Well Reds music performance from 8P – 12A on March 24, 2015 for approx.. 110 people at Hammond Main Event space/patio, 160 Pearl Street.

*Commissioner Sarefield recused himself and left the room.*

*Mr. Joseph Phelan was present. Application amended to reflect licensee as Joseph Phelan on behalf of Fitchburg State University and approved as amended 2/0.*

Joseph Phelan (FSU), for Special One Day wine and malt beverages license for The Whitney Doucette Band from 8P – 12A on April 15, 2015 for approx.. 110 people at Hammond Main Event space/patio.

*Commissioner Sarefield recused himself and left the room.*

*Mr. Joseph Phelan was present. Application amended to reflect licensee as Joseph Phelan on behalf of Fitchburg State University and approved as amended 2/0.*

World Cup Bull Riders/Kenneth Churchill for two (2) Special One Day all alcoholic beverages licenses for a Rodeo Western Festival from 12Noon – 11PM on Saturday May 23, 2015 and 12Noon – 9PM on Sunday May 24, 2015 at Fitchburg Municipal Airport on hill side with vendors. Approx. attendance will be 1500 people on Saturday and 2000 people on Sunday.

*Mr. Kenneth Churchill was present. He submitted the attached Exhibit A and Exhibit B to provide detail of the planned events. He reported that he has been working with FPD Sgt. Glenn Fossa and Brenda Fitzgerald from the Fire Department regarding the Public Assembly permit requirements for this event. He stated that he has been putting on these events in New England and around the country for over twenty years. He stated his events are family oriented and have never had any issues that required police intervention whether associated with alcohol consumption or not.*

*Application approved with the condition that he follow direction from FPD Sgt. Glenn Fossa pertaining to security and traffic. 3/0*

Cleghorn Athletic Association d/b/a St. Joseph Club, 109 Oak Hill Rd, for Change of Manager to Judit Hayden.

*Ms. Hayden was present. She stated that she has no prior experience running a bar but that she was voted in as President and the Manager job comes with the position. She stated that she feels very capable of running the establishment and has already instituted some positive changes with the bartenders whom she supervises. Application approved 3/0.*

### III. CONTINUED APPLICATION

Backstreets Pub, 14 Mill Street for One (1) Dart board.

*No one was present to represent the application. The Board discussed that the establishment is too small and does not have a layout conducive to patron safety during dart games.*

*Motion to approve the application failed by vote of 0 in favor and 3 opposed.*

### IV. CONTINUED HEARING

Linda Meehan d/b/a Iron Horse Lounge, 19 Airport Road, for Transfer of annual, general on premise, all alcoholic beverages license to Iron Horse Lounge, Inc., Ashley Hardy-McCauliff, Manager.

*Ms. Meehan called the Clerk earlier in the day to say that she is sick and unable to attend.*

*The Board continued the hearing to March 16, 2015 by vote of 3/0 with specific note that this will be the final continuance.*

### V. MISCELLANEOUS

1. Chen He, to discuss BYOB policy at restaurant.

*Mr. He was not present. Commissioner Sarefield said that a local social media site reports that the restaurant is out of business and that when he drove by tonight at 5:45PM the lights were out and the establishment appeared to be closed.*

*No action taken.*

2. Darin Plante, Citgo Station – Main Street, to discuss License Commission objections to Keno To Go.

*Mr. Plante was present. He stated that Keno To Go does not have a monitor for customers to watch therefore there is generally not an issue with loitering. He stated that if customers were loitering he would be the first to terminate the game because loitering is detrimental to his business. Mr. Michael Montuori was present in the audience and voiced support for Mr. Plante. By vote of 3/0 the Board voted to rescind their previously voted objections to the Keno To Go at the Citgo station on Main Street with the condition that if it becomes a nuisance it will be discontinued.*

3. Peter Bellanton, North Central Coach and Cab LLC, 435 Lancaster Street Leominster (formerly Centerline Transportation LLC, 265 Summer Street Fitchburg) to discuss status of business operations and FPD Report #15-2288-OF.

*Commissioner Pusateri recused himself and left the room.*

*Mr. Peter Bellanton was not present. Angelina Bellanton was present. Ms. Bellanton explained that the vehicles in question in FPD report #15-2288-OF were parked on the sidewalk because one of their drivers left them there outside of his residence. She stated that shortly thereafter the vehicles were registered and insured.*

*She stated that North Central Coach and Cab is licensed to operate in Leominster and that is where they have their office. She stated that they store their vehicles in Fitchburg at 265 Summer Street. The Commissioners asked her for a copy of the City of Leominster license. She stated that she did not have it with her. Commissioner Swears noted that the copy of the Leominster license submitted by Peter Bellanton to the Clerk last week expired on December 31, 2013.*

*Ms. Bellanton stated that she and her husband met with the Chief of Police and Mayor Wong yesterday. She stated that they would be happy to be licensed to do business in Fitchburg and have submitted a letter of intent to the Building Commissioner for vehicle storage at 265 Summer Street.*

*Sgt. Lemay questioned why there is an abandoned bus with the windows smashed out parked behind the Summer Street location and expressed concern that it is a safety issue. She stated that the bus does belong to North Central Coach and Cab and is parked outside because it doesn't fit inside the building with all the other vehicles. She stated that she was unaware that the windows were smashed and will check on it.*

*By vote of 2/0 the matter was continued to March 16, 2015 with an expressed expectation that Peter Bellanton will attend on behalf of North Central Coach and Cab.*

4. Proposed new regulation:

Add to License Commission regulations for Taxi/Livery companies the following language:

**In order to be prepared to institute Taxi/Livery Service Regulation #7J (Random drug and alcohol screenings) every Taxi/Livery company in the City of Fitchburg shall hold and maintain an active account with Quest Diagnostics for the purposes of such drug and alcohol screenings. No license shall be issued to a taxi/livery company until proof of such account is submitted to the License Commission office.**

*Regulation amended to delete "Quest Diagnostics" and replace with "approved testing facility" by vote of 3/0.*

*Regulation as amended approved by vote of 3/0 and will take effect immediately. The new regulation will effect any new applicants for a Taxi/Livery company license and will be a requirement for renewal for existing licensees.*

5. Discussion:

**MA ABCC Regulations**

204 CMR 7.00:

SPECIAL LICENSES

**7.05: Authorized Suppliers**

No special licensee may sell any alcoholic beverage other than those purchased from a licensee under M.G.L. c. 138, §§ 18, 19, 19B, or 19C or from a holder of a special permit to sell issued under M.G.L. c. 138, § 22A.

*This discussion item was prompted by statements made by a recent applicant for a Special One Day license to sell beer and wine. The applicant stated, upon questioning by the Board, that she purchases wine and beer, which she then sells at the special event, from a local package store. She stated that alcohol distributors will not sell/deliver the small amount of wine and beer that is required for her event. The Board has concerns about this practice because it is State law that all alcohol sold must be purchased from a distributor. The Board requested that the Clerk draft a letter for the next meeting directed to the ABCC with a cc to central MA distributors outlining this problem and asking for advice on how to handle it. The Board is hopeful such letter will serve to remedy the problem but, if not, at least it has acted to inform the ABCC of these reported activities.*

6. New/renewal taxi driver applications:

Michael Cline – City Cab

*Approved for two years 3/0*

Heather Norton – City Cab

*Approved for two years 3/0*

7. Continued taxi driver application:

Antoine Marcus – Twin City Kab

*Mr. Marcus left a message for the Clerk earlier today stating he was ill and could not attend the meeting.*

*By vote of 3/0 the Board voted to continue the application for two weeks and for the Clerk to call Mr. Marcus to explain why the Board would like to discuss his application with him.*

8. Appeal of conditions placed on taxi driver permit:

Simone Contois – Twin City Kab

*Ms. Contois was not present. After brief discussion about the reasons considered to place a condition on this permit, the Board voted 3/0 to overturn their original decision and remove the condition on the permit.*

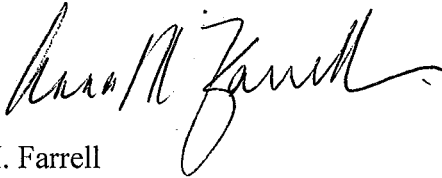
9. Appeal of denied taxi driver application:

Terence Earl Durden, II

*Mr. Durden was not present. The Board voted 3/0 to continue the appeal for two weeks and for the Clerk to contact the applicant and request his attendance at the meeting.*

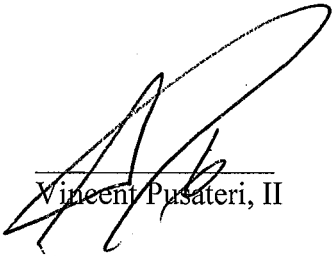
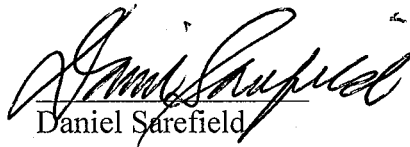
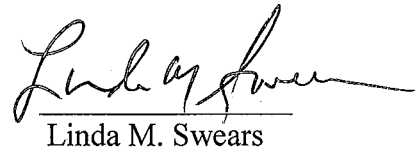
The meeting adjourned at 7:55 PM

Respectfully submitted,



Anna M. Farrell  
City Clerk

Approved:

  
Vincent Pusateri, II  
Daniel Sarefield  
Linda M. Swears

Camping Area

Grass Area

Parking

Security Area

Runway

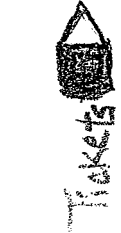
Infield

Grass

Runway

← Terminal Area

May 23-24, 2015



Entrance

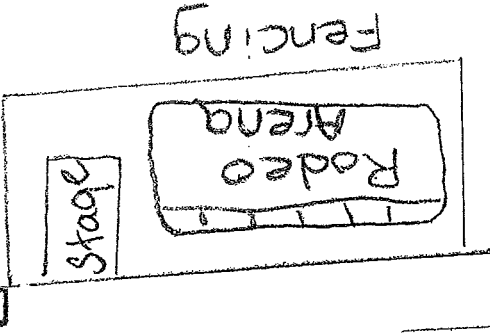
A.I.D. Booth

Fence Beer Garden

Vendors

Event

Entrance



Pavement

Hill Side Seating

← Vendors →

EXIT

Exhibit A  
2-18-2015

# World Cup Bull Riding Festival

Exhibit  
B  
2-18-2015

Thank you for the opportunity to bring our western festival to the Fitchburg Airport. The W.C.B.R has been very successful in the States of Massachusetts since the year 2000. Our venue has always been family orientated, as well as, reaching out to other cultures. The W.C.B.R has had a strong fan base of both American and Brazilian audiences. Our fans enjoy the cowboys and cowgirls that represent the World Cup from various countries.

Our festival style atmosphere has allowed us to incorporate multiple fun attractions for our fans to enjoy. Country bands, barbeques, merchant vendors, pony rides, mechanical bull, dancing are just some of the fun entertainment we orchestrate. When space provides, we have also added Monster truck shows, freestyle motor cross shows, helicopter rides and amusement rides.

This year we would like to add more excitement to our festival with aviation. This would be a great way to create awareness for children and adults to learn about flying. Multiple attractions help draw more people to the products we are trying to promote.

Having had the opportunity to sit in on some of your board meeting, I have learned that the airport has similar problems as fairgrounds. We believe we can help. By forming a relationship with the airport as well as the city, we can help generate revenue and expose your aviation programs to the public. The World Cup Bull Riders have been known for establishing relationships like this for the last 14 years in the Northeast. We hope to get to work together.

Thank you,

Kenneth Churchill

W.C.B.R. CEO